

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WATER SERVICE)
CORPORATION OF KENTUCKY FOR AN) CASE NO. 2010-00476
ADJUSTMENT OF RATES)

ORDER

On February 15, 2011, Water Service Corporation of Kentucky ("Water Service") tendered its response to Commission Staff's First Request for Information. In lieu of submitting its response in paper form as the Commission's Rules of Procedure require, Water Service submitted a CD-ROM containing its responses in various electronic formats. Water Service did not move for leave to file its response in a non-paper format or to otherwise deviate from 807 KAR 5:001.

While recognizing that voluminous responses may require the submission in electronic format, the Commission finds that a party should first seek a deviation from the Commission's Rules of Procedure before submitting a response in a non-paper format. The submission of such materials without such deviation is a violation of the Commission's regulations. Moreover, the Commission has a strong interest in ensuring that, when materials are submitted in non-paper formats, these formats are compatible with the Commission's technical standards. We have generally established those standards by order and would have done so in this case had Water Service moved for deviation.

Finally, this Commission has encouraged the use of electronic filing procedures in rate adjustment proceedings to reduce expense and inconvenience for all parties. If

Water Service wishes to avail itself of such procedures, it may move for a deviation from the Commission's Rules of Procedure. The Commission will favorably consider such motion. We note, however, that Water Service's tendered response would not have met the electronic filing procedures that the Commission generally uses.¹

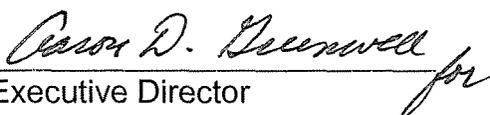
Accordingly, we find that Water Service's response to Commission Staff's First Request for Information should be rejected and that Water Service should be allowed seven days from the date of this Order in which to submit a response that complies with Commission Regulations. Water Service may move for a deviation from the Commission's Rules of Procedure.

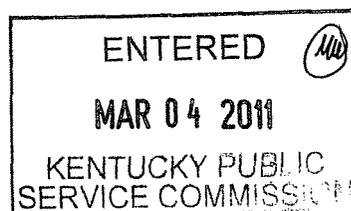
IT IS THEREFORE ORDERED that:

1. Water Service's Response to Commission Staff's First Request for Information is rejected.
2. Within seven days of the date of this Order, Water Service shall file an original and six copies of its Response to Commission Staff's First Request for Information in paper format.

By the Commission

ATTEST:


Executive Director



¹ The Commission has generally required any electronic submission be made in Portable Document Format and appropriately bookmarked. See, e.g., Case No. 2010-00094, *Application of Northern Kentucky Water District for an Adjustment of Rates, Issuance of Bonds, and Tariff Changes* (Ky. PSC Apr. 27, 2010). Moreover, in proceedings in which the Commission has accepted filings in electronic medium, we have still required the filing of an original and at least one copy in paper medium. Only a portion of Water Service's electronic submission was in Portable Document Format. It did not file any paper copies of its Response.

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